

**Stanhope Land Use Board  
October 16, 2017  
Regular Meeting  
Minutes**

**RECEIVED**  
**NOV 16 2017**  
**STANHOPE  
BOROUGH**

CALL MEETING TO ORDER:

Chairman Maguire called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE:

Chairman Maguire invited all those present to stand in a salute to the colors.

STATEMENT:

Adequate notice for this meeting has been provided according to the Open Public Meetings Act, Assembly Bill #1030. Notice for this Meeting was forwarded to the New Jersey Herald and Daily Record on January 10, 2017 and was placed on the municipal bulletin board.

In the event the Board has not addressed all the items on its agenda by 11:00 p.m., and it is of the opinion that it cannot complete the agenda in a reasonable period, the Board may exercise its option to continue this meeting at an agreed time and place, within ten (10) days of this meeting.

At this time, please turn off all cell phones.

ROLL CALL:

Nicholas Bielanowski - present  
James Benson – absent  
Michael Depew - absent  
Rosemarie Maio – present

Thomas Pershouse - present  
John Rogalo – absent  
Joseph Torelli - present  
Paula Zeliff-Murphy - present  
John Maguire – present

Others present: Board Attorney Glenn Gavan and Board Secretary Ellen Horak

MINUTES

**September 11, 2017 Regular Meeting** – On motion by Mr. Torelli, seconded by Mayor Maio, the Minutes of the September 11, 2017 meeting were approved on majority voice vote. Mr. Pershouse abstained.

CORRESPONDENCE

- 09-13-17 Dennis McConnell, Esq. – Preliminary and Final Site Plan Application for Manjit Bawja and Ravinder Kaur re: Block 11703, Lots 1 & 2
- 09-15-17 Dana Mooney, CFO – copy of letter to Ryan Leavy requesting additional escrow funds
- 09-18-17 New Jersey Planning Officials – New Jersey Planner (July/Aug)
- 10-11-17 Glenn Gavan, Esq. – Resolution of Memorialization re: Leavy Variance Application
- 10-16-17 Eric Keller – comments to Resolution of Memorialization re: Ryan Leavy Variance Application, Blk 11304, Lots 6 & 7
- 10-16-17 Arlene Fisher, Zoning Officer – Sign for Ted's Liquors (141 Route 183)

On motion by Ms. Zeliff-Murphy, seconded by Mr. Torelli and carried by unanimous voice vote, the Correspondence List was accepted and placed on file.

OPEN TO THE PUBLIC FOR NON-AGENDA ITEMS:

Chairman Maguire opened the meeting to the public for non-agenda items. Seeing no one from the public wishing to speak, Chairman Maguire closed the public portion of the meeting.

**RESOLUTION OF MEMORIALIZATION**

**17-01, Ryan Leavy**

Block 11304, Lot 6 & 7, Variance Application

Approval Granted: 9/11/17

Chairman Maguire noted a revised Resolution of Memorialization, containing the comments of the Board's Engineer has been distributed. On motion by Ms. Zelif-Murphy, seconded by Mr. Bielanowski and carried by the following majority roll call vote, the Resolution of Memorialization memorializing action taken at the September 11, 2017 meeting granting the variance application of Ryan Leavy to permit the construction of a single-family home on Block 11304, Lots 6 & 7.

AFFIRMATIVE: Mr. Bielanowski, Mayor Maio, Mr. Torelli, Ms. Zelif-Murphy, Chairman Maguire  
OPPOSED: None  
ABSTENSIONS: Mr. Pershouse

**COMPLETENESS**

**17-04, Manjit Bawja and Ravinder Kaur**

Block 11703, Lots 1 & 2, Preliminary and Final Site Plan Application

Appl. Rec'd: 09/13/17 45 days: 10/28/17

Chairman Maguire stated the Completeness Review Committee reviewed the application and recommends it be deemed complete. On motion by Mr. Torelli, seconded by Mr. Bielanowski and carried by the following unanimous roll call vote, 17-04, Manjit Bawja and Ravinder Kaur preliminary and final site plan application for Block 11703, Lots 1 & 2 was deemed complete.

AFFIRMATIVE: Mr. Bielanowski, Mayor Maio, Mr. Pershouse, Mr. Torelli, Ms. Zelif-Murphy, Chairman Maguire  
OPPOSED: None  
ABSTENSIONS: None

The hearing on this application will be scheduled for the November 13, 2017 meeting. The Board directed the Board Secretary to forward this application to the Board Engineer for review and comment.

**UNFINISHED HEARING:**

**17-03, Juntos Holdings, LLC**

Block 11205, Lot 4.01, Interpretation

Application Rec'd: 8/15/17

Shari Spiridiglaizzi was sworn in. Chairman Maguire noted at the last meeting Brian Yelinko provided testimony on this application and he asked if he had authority to testify on behalf of the applicant. Ms. Spiridiglaizzi testified that she is the sole proprietor and Mr. Yelinko had her approval to provide the testimony he gave at the previous meeting. Chairman Maguire reminded the Board that this application is an Interpretation on the definition of light manufacturing. On motion by Chairman Maguire, seconded by Mr. Torelli and carried by the following majority roll call vote, the Board interpreted that the proposed use as a brewery at Block 11205, Lot 4.01 meets the definition if "light manufacturing."

AFFIRMATIVE: Mr. Bielanowski, Mr. Torelli, Chairman Maguire  
OPPOSED: None  
ABSTENSIONS: Mr. Pershouse

Mayor Maio and Ms. Zelif-Murphy were not eligible to vote.

NEW HEARING:

**17-02, Steve Solecki**

Block 11001, Lot 7.02 Variance Application

Deemed Complete: 9/11/17

120 days: 01/09/18

Mr. Gavan stated this is a variance application, which is a zoning board application; and therefore, Mayor Maio is not permitted to participate in the hearing. Mayor Maio stepped down from the dais.

Steve Solecki was sworn in. Mr. Solecki testified he is seeking a variance to extend his existing deck. The proposed extension will exceed the rear yard setback by 3.5' and the total square footage will be 47 square feet which is over what is permitted. Because of the shape of the lot, there is a portion of the deck that will be in the area requiring a variance. Mr. Pershouse said if the applicant is going to install a hot tub on the deck he will need an engineer. Chairman Maguire stated this is not part of the application and should have no bearing on the Board's decision. Mr. Pershouse agreed, and added that although this is not part of the application, he wanted the applicant to be aware of what would be required. Mr. Torelli noted the drawing and suggested the setback be increased slightly so if they go over a little, it will not become an issue. Chairman Maguire agreed, noting the plans were drawn by the homeowner.

Chairman Maguire opened the meeting to the public for questions or comments on this hearing. Seeing no one from the public wishing to speak, Chairman Maguire closed the public portion of the meeting.

On motion by Chairman Maguire, seconded by Mr. Pershouse and carried by the following unanimous roll call vote, the Board granted the variance application for the deck as presented adding that there be a 4' encroachment to the rear yard setback area, which is justified because of the shape of the lot and that the drawings were hand drawn by the application.

AFFIRMATIVE: Mr. Bielanowski, Mr. Pershouse, Mr. Torelli, Ms. Zelif-Murphy Chairman  
Maguire  
OPPOSED: None  
ABSTENSIONS: None

Mayor Maio returned to the dais.

NEW BUSINESS

Chairman Maguire noted a memorandum from Arlene Fisher, the Borough's Zoning Officer. The owner of Ted's Deli submitted a zoning permit application to change the size of the signs at the property. The signs will be larger than the present signs; however, they are still within the size permitted by the ordinance. This matter is only before the Board because the ordinance requires that the application be sent to the Board for written comment and recommendation. The Board agreed that

the signs conform to the ordinance and directed the Board Secretary to send a memorandum to the Zoning Officer advising they have no objection to the size of the proposed new signs.

**BILLS:**

<b>Criscuali &amp; Gavan, LLC</b>		
10/10/17	Juntos Holdings (Brewery Appeal)	\$594.00
10/10/17	Leavy – Variance Application	\$627.00
<b>Bowman Consulting Group, Ltd.</b>		
10/07/17	Leavy – Variance Application	\$580.00
10/09/17	Leavy – Variance Application	\$437.50

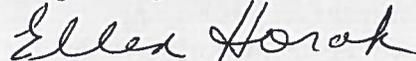
On motion by Mayor Maio, seconded by Mr. Pershouse the aforesaid bills were approved on the following unanimous roll call vote:

**AFFIRMATIVE:** Mr. Bielanowski, Mayor Maio, Mr. Pershouse, Mr. Torelli, Ms. Zeliff-Murphy, Chairman Maguire  
**OPPOSED:** None  
**ABSTENSIONS:** None

**ADJOURNMENT:**

On motion by Ms. Zeliff-Murphy, seconded by Mr. Pershouse, it was the consensus of the Board to adjourn the meeting at 7:15 P.M.

Respectfully submitted,

  
Ellen Horak, Board Secretary